

**WAYS AND MEANS COMMITTEE  
OF THE  
SUFFOLK COUNTY LEGISLATURE**

**Minutes**

A meeting of the Ways and Means committee of the Suffolk County Legislature was held at the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, NY 11787 on Monday, **November 25, 2002** in the Rose Y. Caracappa Auditorium at 1:30 P.M.

**Members Present:**

Legislator George Guldi, Chairman  
Legislator Allan Binder  
Legislator Ginny Fields, Member

**Excused Absence:**

Legislator Fred Towle, Member

**Also in Attendance:**

Paul Sabatino, Counsel to the Legislature  
Bill Faulk, County Executive's Office  
Christine Costigan, Suffolk County Real Estate  
Tim Motz, Democratic Caucus Aide  
Eben Brofman, Aide to Legislator Guldi  
John M. Armentano, Suffolk County Ethics Commission  
John Ortiz, BRO  
Tom Donovan, Aide to Presiding Officer Tonna  
Leslie Baffa, Civil Service  
Valerie Burgher, Newsday  
Teresa Allar, Suffolk County Real Estate  
Robert Cabble, Suffolk County Attorney  
Jim Burke, Suffolk County Real Estate  
And all other interested parties

**Minutes taken by:**

**Eileen Schmidt, Legislative Secretary**

**(The meeting was called to order at 2:03 P.M.)**

**CHAIRMAN GULDI:**

The Ways and Means Committee meeting will come to order and the Pledge of Allegiance will be led by Legislator Ginny Fields.

**SALUTATION**

Legislator Towle has an excused absence. He was unavoidably detained out of town. That doesn't sound right. No. It's about airplanes. He's on his

way, but he's not going to make it. We're not coming over the speaker they turned me off. They might have turned them off for an exec. session. We'll wait till he checks the machine before we proceed. Now we're definitely, thank you. Thank you, sir. Now everybody can hear me. Beginning with, we have no correspondence and no scheduled presentations and nobody has filled out a card. Does anybody want to address the committee in public portion? No volunteers. Okay.

### **TABLED RESOLUTIONS**

**1800. Authorizing the sales of surplus property sold at the May 15 and May 16, 2002 Auction pursuant to Local Law 13-1976 (Toussie Parcels). ASSIGNED TO WAYS & MEANS (Guldi)** The last meeting we had none other than Mr. Hamburger here representing the Toussie's. He unfortunately could not make his remarks so Legislator Binder was present for them. Legislator Towle requested the presence of Mr. Toussie and/or members of his family. Are they here? Nobody's here to address the Legislators concerns. Since Legislator Towle isn't present we'll have to table this one more time. Although I'm sure that Legislator Towle was here he'd be prepared to vote on this. Counsel, you have something say?

**MR. SABATINO:**

Yes. The committee as you recall instructed me to write a letter on behalf of the committee making the invitation formal and official on the record which I did my directing to Mr. Hamburger who is the attorney of record for Mr. Toussie and I never got a reply to that letter. I don't know if Legislator's did or not, but I cc'd all the members of the committee.

**CHAIRMAN GULDI:**

I have not received them. Okay. Yes, Legislator Fields.

**LEGISLATOR FIELDS:**

Can I ask a question?

**CHAIRMAN GULDI:**

Yes.

**LEGISLATOR FIELDS:**

Do we all have to agree on every bill today because there are only three of us?

**CHAIRMAN GULDI:**

Only on motion to approve, motion to table would be a plurality of those present. We could do those 2 to 1. The interesting thing would be if had a 1-1 and 1. Obviously, everything that we did that way would fail. Any how I'm going to make a motion to table 1800 one more time since I'm sure Legislator Towle wants to be on record when we vote on this one.

**LEGISLATOR BINDER:**

Second.

**CHAIRMAN GULDI:**

Second by Legislator Binder. Discussion? All those in favor? Opposed?  
Tabled. **(Vote: 3-0-0-1 Absent: Towle)**

**1960. Authorizing the sale of County-owned real property pursuant to Section 72-h of the General Municipal Law to the Town of Brookhaven for Affordable Housing purposes. ASSIGNED TO WAYS & MEANS (Co. Exec.)** This was tabled at Legislator Towle's request at our last meeting.

**MR. SABATINO:**

That's correct. He had originally requested information from the town, then I believe he said at the last committee meeting that he got some information from the town, but he wanted to absorb and evaluate and analyze it. Or he wasn't satisfied I'm not really sure which of those categories.

**CHAIRMAN GULDI:**

Motion to table by myself.

**LEGISLATOR BINDER:**

Second.

**CHAIRMAN GULDI:**

Second by Legislator Binder. Discussion? All those in favor? Opposed?  
Tabled. **(Vote: 3-0-0-1 Absent: Towle)** Moving right along.

**2054. Approving the reappointment of John Armentano as a member of the Suffolk County Ethics Commission. ASSIGNED TO WAYS & MEANS (Tonna)** Mr. Armentano, come on down.

**LEGISLATOR FIELDS:**

May I ask if you have a resume because I don't have anything here in the backup?

**CHAIRMAN GULDI:**

It's a reappointment and -- hold on one second. Let me see if I have one.

**LEGISLATOR FIELDS:**

Just for the record. For Legislators who were not present in the year that Mr. Armentano first came we have no idea of his resume and I've asked a number of times for reappointment or appointments to have a backup so that we do who those people are and their background.

**CHAIRMAN GULDI:**

Would you be satisfied with a description on the record of Mr. Armentano's

background and qualifications or do you require it in writing, Ms. Fields?

**LEGISLATOR FIELDS:**

Who has it? The Clerk probably should have it. Maybe --

**CHAIRMAN GULDI:**

-- no, no. Mr. Armentano, when you referred to having provided the last time do you mean, it was the last time you were reappointed or the last time you were before the Legislature which was when?

**LEGISLATOR FIELDS:**

You have to put your mike on.

**MR. ARMENTANO:**

I think it was the last time I was here.

**CHAIRMAN GULDI:**

Which was?

**MR. ARMENTANO:**

Which was about a year ago, about two years ago.

**CHAIRMAN GULDI:**

Two years ago.

**LEGISLATOR FIELDS:**

Is it possible to ask the Clerk's Office to go pull it and supply it to this committee?

**MR. ARMENTANO:**

Well, if there's a fax machine I can call my office and perhaps and have it faxed to you.

**CHAIRMAN GULDI:**

Could you actually, could you do that. We'll skip over this and come back to it later on the agenda. Counsel, what's the fax number in your office?

**MR. SABATINO:**

853-4415.

**CHAIRMAN GULDI:**

If you could have it faxed there and I'm sure they can hear us there and they'll bring it into the auditorium as soon as it's available. As soon as it available I'll recall this matter, sir.

**MR. ARMENTANO:**

What was that number again?

**MR. SABATINO:**

631 853-4415.

**MR. ARMENTANO:**

Okay. Very good.

**CHAIRMAN GULDI:**

Okay. With Spam faxes we could begin sending this to every deli in the county and we can have menus. Okay. Skipping over --

**LEGISLATOR FIELDS:**

May I ask the chair a question?

**CHAIRMAN GULDI:**

You can.

**LEGISLATOR FIELDS:**

In the future if we have appointments or reappointments can you make sure that before we vote on them that your office gets the backup for us?

**CHAIRMAN GULDI:**

I would endeavor to do that.

**LEGISLATOR BINDER:**

They're still working on agendas that are not (inaudible)

**CHAIRMAN GULDI:**

I'll have them add that to my agenda. Yes, we'll endeavor to do that. Mr. Brofman, please make a note and try to comply with the Legislator's request in the future.

**MR. SABATINO:**

Mr. Chair, on 2089 we did a corrected copy with a C/N at the meeting, the concerns this committee raised were addressed with the C/N so it's off agenda.

**CHAIRMAN GULDI:**

So it's been adopted so it's no longer -- so previously adopted in an (inaudible). Previously adopted so it's off our agenda.

**2101. Direct Budget Review to prepare leases database. ASSIGNED TO WAYS & MEANS (Fields)** Ms. Fields, have you had an opportunity to consult with the Department of Public Works and Space Leasing Committee and/or examine its database?

**LEGISLATOR FIELDS:**

I was called this morning by Rich LaValle who's asking that this be tabled. Apparently, there is no one place where all of the information to leases can be put together. And they are working on it feverishly and asked that I table this one more time and I will table it one more time and after that we will vote on it.

**CHAIRMAN GULDI:**

Okay. Motion to table by Legislator Fields second by myself. Discussion? All those in favor? Opposed? Tabled. **(Vote: 3-0-0-1 Absent: Towle)**

**2102. Authorizing conveyance of parcel to the Town of Brookhaven, Town of Brookhaven (Section 72-h, General Municipal Law).**

**ASSIGNED TO WAYS & MEANS (Haley)** Hold on one second.

**MR. SABATINO:**

This was tabled because there's a concern that it's land locked and also the issue that was raised two meetings ago. The last meeting the issue about the worth might be half a million dollars.

**CHAIRMAN GULDI:**

Well, whether it was land locked and whether the parcel we thought we were conveying or that the subject of this was actually the parcel had anything in common with the parcel we were actually conveying. Has that been resolved by the Real Estate Division as yet?

**MR. BURKE:**

There is a note here from Christine to Marty Haley and to Tom Isles asking that we would table it to give us an opportunity to appraise the property at this point. It's a valuable property I don't think there's any question it's definitely not land locked. It's a couple of acres right on Route 25A in Mt. Sinai. So Christine has asked that we have the time to appraise the property. I'm not sure what Legislator Haley's position --

**CHAIRMAN GULDI:**

We don't generally -- Counsel, generally appraise for 72h and is it particularly relevant or material for 72h purposes?

**MR. BURKE:**

It's not for 72h.

**MR. SABATINO:**

It's not required, you know, its materiality is in the eye of the beholder. I think the point that was being communicated at the last session was that well, what was being communicated was that perhaps Legislator Haley thought that the property was land locked and had significant value. And therefore if he, you know -- and the state always made that it's not land locked so what was stated by Real Estate which is a legitimate point which is that knowing the value you as a Legislator or as a sponsor might have a different view, but it's not legally required, no.

**CHAIRMAN GULDI:**

Let's see, I'm looking at the tax map of the parcel, what road is this thing --

**MR. BURKE:**

-- Route 25A, it's pretty much right at the --

**CHAIRMAN GULDI:**

-- oh, I see Nesconset -- Port Jeff. Patchogue Mt. Sinai Road it's right at that intersection.

**MR. BURKE:**

Right at the intersection County Road 83 and 25A.

**CHAIRMAN GULDI:**

Okay. And the Town of Brookhaven resolution specifies that they want to take it for --

**MR. SABATINO:**

-- they want to increase the size an existing senior citizen day care recreational facility which is in fact located I believe on the adjacent parcel.

**CHAIRMAN GULDI:**

Adjacent parcel, yes, okay, I'm familiar with the intersection.

**MR. SABATINO:**

The reason you don't need a appraisal under 72-h is because that State statute says you can give the property under whatever terms and conditions you decide, but you can decide that you want to, you know, look at the value and say that they should pay something. It's up to you really.

**CHAIRMAN GULDI:**

Yeah.

**LEGISLATOR BINDER:**

The 72-h in this case is not for affordable housing it's for expansion of a senior citizen. Now this community center is it, I assume it's a 501c3.

**CHAIRMAN GULDI:**

No. It's actually a Town of Brookhaven being familiar with it it's the Town of Brookhaven Community Center. It's called the Rose Caracappa Community Center and it consist of a parking lot and a small wood frame building of several thousand feet, two or three thousand feet would be my estimation in being familiar with it. But it is after all a Brookhaven matter I frankly would want Legislator Towle and Legislator Haley's input on it so I'd be inclined in honoring the tabling request for that reason.

**LEGISLATOR BINDER:**

And also there is a question if the piece is land locked, I understand we don't need to know that, but if the piece is land locked (inaudible) community center for a town maybe all well and good, but if something's worth half a million dollars or more there's a question as to whether that the propriety in doing that when -- especially when we're in financial straights where a half a



million dollars can go way.

**CHAIRMAN GULDI:**

At that intersection, half a million dollars, I'll buy it right now.

**LEGISLATOR BINDER:**

If it's not land locked and it's zoned commercial I assume --

**CHAIRMAN GULDI:**

-- absolutely --

**LEGISLATOR BINDER:**

-- right, where it is, is got to be zoned commercial.

**MR. BURKE:**

Actually, it is residential, but there are people that feel that because of the area it's surrounded by commercial that it would --

**CHAIRMAN GULDI:**

-- that they'd apply for a variance.

**LEGISLATOR BINDER:**

How many acres is it?

**MR. BURKE:**

It's 2.2 acres.

**LEGISLATOR BINDER:**

2.2 acres you could --

**CHAIRMAN GULDI:**

-- like I said, 500,000 market sold I'd take it.

**MR. BURKE:**

(inaudible)

**LEGISLATOR BINDER:**

That would be we'd have to do another ethics law.

**CHAIRMAN GULDI:**

Motion to table. No, actually, there's one that applies to that. No, it's the other way. Motion to table by myself.

**LEGISLATOR BINDER:**

Second.

**CHAIRMAN GULDI:**

Second by Legislator Binder. All those in favor? Opposed? Tabled. **(Vote: 3-0-0-1 Absent: Towle)**



**2105. Adopting Local Law No. –2002, A Charter Law to expand prior written notice of defective condition requirements. ASSIGNED TO WAYS & MEANS (Co. Exec.)** I think that this one needs an award for obscured titling. What does that mean? A charter law to expand a prior written notice of defective condition requirements? Counsel, could you please explain?

**MR. SABATINO:**

Well, two quick points. One is the public hearing was recessed, but you can still discuss it. These are the prior notice laws which municipalities adopt to, you know, protect against law suits by requiring that a notice of the defect or of the dangerous condition be filed within certain time lines. There's already a law on the books, but apparently there was a recent decision involving Suffolk County which was adverse to the County because although the statute had the normal language of covering roads and highways and whatever. I believe that what was the whole case hinged on the fact that the previous County law did not specifically make reference to --

**CHAIRMAN GULDI:**

-- sidewalks, walkways, boardwalks, crossways --

**MR. SABATINO:**

-- no, just one word. It was just --

**CHAIRMAN GULDI:**

-- it seems to be new language though.

**MR. SABATINO:**

It didn't make specific, well, you know, the whole provision is being reworded, but --

**CHAIRMAN GULDI:**

-- is this article being adopted from some uniform approach local municipal law approach or is this our own invention of the wheel?

**MR. SABATINO:**

It's building on the wheel by being more specific. The earlier language was more generic. It talked about roads, highways, bridges, culverts, sidewalks. This is breaking it down to, I mean, it's literally trying to designate everything you can think about.

**CHAIRMAN GULDI:**

Does it have catch in language in addition to the laundry list because I've never seen such language?

**MR. SABATINO:**

No, because that's not going to be helpful to you, but the -- okay, the case that was adverse to the County was a concrete stairway at least according to this court because of the failure to specifically enumerate identify sidewalk as one of those categories. It was the absence of that one word the County was

not successful in its defense. So the statute is an attempt to respond to that and other potential pitfalls out there by literally listing everything you can think of. Curbs, gutters, street markings and the other thing it's doing is it's the previous statute said that the injured party had to provide notice of reasonable period of time before the injury. Now it's being made specific which is it'll be at least 30 days prior to the occurrence of an injury or property damage caused by just general conditions and it'll be 72 hours if it's an ice or snow condition. So rather than rely on what previously was thought to be an acceptable standard of reasonable period of time now it's going to be the 30 days and the 72 hours. So the two changes are substitutive in nature. One is the actual specifying of a time line and the other one is try to identify virtually everything you can think about, again, to protect the County against liability.

**CHAIRMAN GULDI:**

Now the public hearing has been recessed it's not --

**MR. SABATINO:**

-- public hearing was recessed.

**CHAIRMAN GULDI:**

-- motion to table by myself. Is there a second on either motion to approve?

**LEGISLATOR FIELDS:**

(inaudible)

**CHAIRMAN GULDI:**

No, you have to withdraw.

**LEGISLATOR FIELDS:**

(inaudible)

**CHAIRMAN GULDI:**

Move to table.

**LEGISLATOR FIELDS:**

Second.

**CHAIRMAN GULDI:**

Okay. On the tabling motion. All those in favor? Opposed? Abstentions? Tabled. **(Vote: 3-0-0-1 Absent: Towle)** Why don't we go back, is that resume here in multiple copies? Do you have the copies made, Mr. Brofman? Okay, could you distribute them? Come forward, sir, we'll recall that matter. Mr. Armantano, could you come back up? Going back to 2054, which we skipped over on the agenda to avail ourselves of the fax machine. You're not going to hit us with the book are you? Give us the book, sir.

**MR. ARMANTANO:**

I happened to find the book in the car --

**CHAIRMAN GULDI:**

-- the Martindale-Hubbell?

**MR. ARMANTANO:**

-- the Martindale-Hubbell so I don't have to burden your fax machine with it, but the young land across the way was very helpful.

**CHAIRMAN GULDI:**

You mind if I ask, why you're carrying Martindale-Hubbell in your car? This ought to be a good one. I mean, I've got some strange stuff in my car, but I don't have a Martindale-Hubbell

**MR. ARMANTANO:**

Simple answer, my daughter's in law school and she's looking through firms so I kind of keep it around. You never know when they're going to ask you a question.

**CHAIRMAN GULDI:**

You know there's transcripts on the Internet it may work. Let the committee members review this. I'm quite favorably impressed by your career, sir, as a fellow attorney. I recognize some of the many diverse things you've done over that career. I do however have a couple of questions about your appointment/reappointment to the Suffolk County Ethics Commission. Why do you want to do that?

**MR. ARMANTANO:**

Well, quite candidly I enjoy giving a little back when I get a chance and I've always been interested in government as I said the last time here and this is one of the opportunities that I have to do that in addition to the Appellate Division Character Committee and Grievance Committees which are strictly with lawyers and this is a little more (inaudible) based.

**CHAIRMAN GULDI:**

Okay. I have more questions, but I'll yield to Legislator Fields. Go ahead.

**LEGISLATOR FIELDS:**

May I ask, what do you actually do on the Ethics Committee?

**MR. ARMANTANO:**

What do I do?

**LEGISLATOR FIELDS:**

Yes.

**MR. ARMANTANO:**

We review the request for opinions. We review the various items that come in before the committee that the staff gives to us and we discuss what has to be discussed. And we decide the cases individually.

**LEGISLATOR FIELDS:**

How many members are on the committee?

**MR. ARMANTANO:**

Myself and two others.

**LEGISLATOR FIELDS:**

Have you had many questions come before you in the past year?

**MR. ARMANTANO:**

Yes.

**LEGISLATOR FIELDS:**

And do you usually agree?

**MR. ARMANTANO:**

It's hard to say whether many which is a relevant term. There were a significant number I would say whether it's more or less I don't know, but there seems to be a significant number.

**LEGISLATOR FIELDS:**

Do you usually all agree?

**MR. ARMANTANO:**

By and large.

**LEGISLATOR FIELDS:**

Is your attendance, is it once a month, is it once every three months, how often to you meet?

**MR. ARMANTANO:**

Generally, at the call of the chairman, but it usually comes out to I say maybe about six or seven times a year.

**LEGISLATOR FIELDS:**

And how is your attendance been?

**MR. ARMANTANO:**

It's been good. We try to make the committees when everybody can attend because when you're only three people on the committee it's important to have everybody there.

**LEGISLATOR FIELDS:**

Thank you.

**CHAIRMAN GULDI:**

There was a recent bill that was before the Legislature where the committee

expressed an opinion on a bill pending by -- before this body before it was adopted or even considered. Can you tell us how that came about?

**MR. ARMANTANO:**

Off hand no, I can't. I remember that the issue did come up in the committee and we discussed it and thought that it would be best to make our views known before time.

**CHAIRMAN GULDI:**

Yeah, but you don't know how it came before the committee?

**MR. ARMANTANO:**

I don't recall, no.

**CHAIRMAN GULDI:**

Do you think it's dividable for the Ethics Committee to express opinions on all pending legislation in this County before it's adopted or considered?

**MR. ARMANTANO:**

Not all pending legislation, but certainly legislation that would involve the committee function.

**CHAIRMAN GULDI:**

Okay. But you don't think the Ethics Committee should start expressing opinions about policy manage beyond those involving the committees jurisdiction and function?

**MR. ARMANTANO:**

Absolutely not.

**CHAIRMAN GULDI:**

I was concerned about that when I saw that opinion. I've been here a long time and I've never seen an opinion on a pending bill before and I was curious about how it came about since it was unprecedented. Any other questions? There being none is there anything you want to say, sir?

**MR. ARMANTANO:**

Not at all.

**CHAIRMAN GULDI:**

Okay. Motion by Legislator Binder second by myself. Discussion? All those in favor? Opposed? Approved. **(Vote: 3-0-0-1 Absent: Towle)** Than you, sir.

**MR. ARMANTANO:**

Thank you very much.

**LEGISLATOR FIELDS:**

Thank you for going out of your way to get the backup and answering all the questions. I appreciate it.

**MR. ARMANTANO:**

(inaudible)

**LEGISLATOR FIELDS:**

Okay. Thank you.

**CHAIRMAN GULDI:**

It was certainly quicker. You never know when you find that Martindale-Hubbell to come in handy. I thought for sure we would come up with an answer like pressing flowers or something.

**MR. ARMANTANO:**

(inaudible)

**CHAIRMAN GULDI:**

Thank you, sir. Welcome, Ms. Costigan. No motions tabled subject to call being move by any members of the committee we will proceed to,

### **INTRODUCTRY RESOLUTIONS**

**2144. Authorizing the sale of County-owned real estate pursuant to Section 215.**

**New York State County Law to Helen Mortiz. ASSIGNED TO WAYS & MEANS (Fields)** This is --

**MS. COSTIGAN:**

Helen Mortiz --

**MR. SABATINO:**

This is based on medical documentation that was submitted. This individual qualifies on the basis of submitting the documentation. 2144, Legislator Fields, your motion?

**LEGISLATOR FIELDS:**

Motion.

**CHAIRMAN GULDI:**

Motion to approve by Legislator Fields second by Legislator Binder. All those in favor? Opposed? Approved and place on the consent calendar was that motion or was that to approve? Approve and place on the consent calendar.

**MR. SABATINO:**

Just so you know, it takes 2/3's vote just so you're aware.

**CHAIRMAN GULDI:**

Yes, we're aware. 2144 is approved. **(Vote: 3-0-0-1 Absent: Towle)**

**2151. Authorize the sale of County-owned real estate pursuant to Section 215,**

**New York State County Law to Frank Palopoli (SCTM No. 0100-196.00-01.00-036.002). ASSIGNED TO WAYS & MEANS (Postal)** Legislator Postal's resolution, Counsel.

**MR. SABATINO:**

This individual also qualified by submitting medical documentation. Motion to approve and placed on the consent calendar. Same motion, same second, same vote. **(Vote: 3-0-0-1 Absent: Towle)**

**2154. Adopting Local Law No. --2002, A Local Law to transfer Administration of Living Wage Law to County Department of Audit and Control. ASSIGNED TO WAYS & MEANS (Bishop)** Motion to recess for public hearing by Legislator Binder second by myself on the motion Legislator Binder.

**LEGISLATOR BINDER:**

Could we have the appropriate department heads here for the next meeting to talk about this so we'll have if it's closed at the next meeting we should have a discussion here before trying to pass it. It would seem to me both department heads losing and gaining we want to hear from.

**CHAIRMAN GULDI:**

You made a not of that request?

**MR. SABATINO:**

Just to clarify it'll be the Commissioner of Labor who's currently in place, but the other position would be the new County Comptroller because when the law takes effect --

**CHAIRMAN GULDI:**

-- it'll be next year.

**MR. SABATINO:**

-- my only comment to the chair --

**LEGISLATOR BINDER:**

-- it would be moving it from Labor to Comptroller.

**MR. SABATINO:**

Right. So my only comment was to invite the current Chief Deputy County Treasurer who will actually be the Comptroller as opposed to the individual (inaudible).

**LEGISLATOR BINDER:**

Comptroller elect it would give him enough notice so he can take a look at the issue.

**CHAIRMAN GULDI:**

Okay.



**2160. Sale of County-owned real estate pursuant to Local Law 13-1976 Tonya N.**

**Woods-Seaton (0200-973.70-06.00-003.000). ASSIGNED TO WAYS & MEANS (Co. Exec.)** 0200 that's Brookhaven?

**MR. SABATINO:**

That's Bellport.

**CHAIRMAN GULDI:**

North Bellport. One bid?

**MS. COSTIGAN:**

The appraised value on this was \$2400; the bid was \$2400.

**CHAIRMAN GULDI:**

What's the size of the parcel?

**MS. COSTIGAN:**

The size of the parcel is 40 by 100.

**CHAIRMAN GULDI:**

40 by 100. Motion to approve and place on the consent calendar by Legislator Binder second by Legislator Fields. All those in favor? Opposed? 2160 is approved. **(Vote: 3-0-0-1 Absent: Towle)**

**2161. Sale of County-owned real estate pursuant to Local Law 13-1976 Daniel**

**Mattias & Wendy Mattias (0200-973.10-01.00-086.003). ASSIGNED TO WAYS & MEANS (Co. Exec.)** Brookhaven.

**MR. SABATINO:**

Patchogue.

**MS. COSTIGAN:**

That's right. The appraised value of this piece which is 10 by 100 was \$1200, the bid was \$1201.

**CHAIRMAN GULDI:**

Oh, we got an extra buck on this one. We did better than the last one. Motion to approve and place on the consent calendar -- Same motion, same second, same vote. **(Vote: 3-0-0-1 Absent: Towle)**

**2162. Sale of County-owned real estate pursuant to Local Law 13-1976 Frank**

**Bonavita (0200-208.00-04.00-024.000). ASSIGNED TO WAYS & MEANS (Co. Exec.)** Again, Brookhaven.

**MS. COSTIGAN:**

The appraised value of this 40 by 100 piece was \$2520 and the winning bid

was \$2550.

**CHAIRMAN GULDI:**

And we're going up. Same motion, same second, same vote. **(Vote: 3-0-0-1 Absent: Towle)**

**2163. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Dano Group (0500-325.00-01.00-059.000). ASSIGNED TO WAYS & MEANS (Co. Exec.) Of right.**

**MS. COSTIGAN:**

Yes. These are normal timely filed redemption.

**CHAIRMAN GULDI:**

All of them through 80, so I'll just read the names and I want to make one motion.

**2164. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Joseph V. Damon (0500-325.00-01.00-066.000). ASSIGNED TO WAYS & MEANS (Co. Exec.)**

**2164. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Stephany Haas Cameron, as Administratrix of the Estate of Johanna Haas, Surviving Tenant by the Entirety (0103-016.00-04.00-047.000). ASSIGNED TO WAYS & MEANS (Co. Exec.) Lindenhurst.**

**2166. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Act Stephany Haas Cameron, as Administratrix of the Estate of Johanna Haas, Surviving Tenant by the Entirety (0103-016.00-04.00-048.000). ASSIGNED TO WAYS & MEANS (Co. Exec.) Again, in Lindenhurst.**

**2167. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Garry P. Krey (0200-751.00-03.00-016.000). ASSIGNED TO WAYS & MEANS (Co. Exec.)**

**MR. SABATINO:**

67 is Center Moriches.

**CHAIRMAN GULDI:**

**2168. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Janice**

**W. Myers (0800-170.00-03.00-032.000). ASSIGNED TO WAYS & MEANS (Co. Exec.)**

**MR. SABATINO:**

Nesconset.

**CHAIRMAN GULDI:**

**2169. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Middlecross Associates (0200-103.00-04.00-022.000). ASSIGNED TO WAYS & MEANS (Co. Exec.)**

**MR. SABATINO:**

That's in East Shoreham.

**CHAIRMAN GULDI:**

**2170. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax August Solloch and Erika Solloch, his wife (0400-059.00-01.00-081.000). ASSIGNED TO WAYS & MEANS (Co. Exec.)**

**MR. SABATINO:**

It's in East Northport.

**CHAIRMAN GULDI**

**2171. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Leon Benvenisti (0500-020.000-01.00-002.000). ASSIGNED TO WAYS & MEANS (Co. Exec.)**

**MR. SABATINO:**

Nesconset.

**CHAIRMAN GULDI:**

**2172. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Valiant Damon, Inc. (0500-325.00-01.00-054.000). ASSIGNED TO WAYS & MEANS (Co. Exec.)**

**CHAIRMAN GULDI:**

Also in Nesconset we have,

**2173. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Valiant Damon (0500-325.00-01.00-060.000). ASSIGNED TO WAYS & MEANS (Co. Exec.)**

**2174. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Valiant Damon, Inc. (0500-325.00-01.00-061.000). ASSIGNED TO WAYS &**

**MEANS (Co. Exec.)**

**2175. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Valiant Damon, Inc. (0500-325.00-01.00-062.000). ASSIGNED TO WAYS & MEANS (Co. Exec.)**

**2176. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Valiant Damon, Inc. (0500-325.00-01.00-063.000). ASSIGNED TO WAYS & MEANS (Co. Exec.)**

**CHAIRMAN GULDI:**

Are these all adjacent?

**MS. COSTIGAN:**

No. They're not adjacent.

**CHAIRMAN GULDI:**

What's the situation with these?

**MS. COSTIGAN:**

This man spent a lot of time and energy buy tiny pieces, some of them are adjacent, but some of them are not to see if he could assemble evidently a building lot.

**CHAIRMAN GULDI:**

I see, okay.

**2177. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Valiant Damon, Inc. (0500-325.00-01.00-064.000). ASSIGNED TO WAYS & MEANS (Co. Exec.) This is the same.**

**2178. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Valiant Damon, Inc. (0500-325.00-01.00-065.000). ASSIGNED TO WAYS & MEANS (Co. Exec.) Same.**

**2179. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Peter Sobierajski and Doreen Sobierajski, his wife. (0100-221.00-02.00-066.000). ASSIGNED TO WAYS & MEANS (Co. Exec.) 0100 was Babylon.**

**2180. Authorizing the sale, pursuant to Local Law 16-1976, of real property acquired under Section 46 of the Suffolk County Tax Nol Limited (0300-039.00-08.00-007.001). ASSIGNED TO WAYS & MEANS (Co.**

**Exec.) 0300** which is?

**MR. SABATINO:**  
East Hampton.

**CHAIRMAN GULDI:**  
Motion to approve and place on the consent calendar by myself second by --

**LEGISLATOR FIELDS:**  
Me.

**CHAIRMAN GULDI:**  
Okay that is for 2162 through 2180 inclusive. **(Vote: 3-0-0-1 Absent: Towle)**

**2186. Authorizing public hearings pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York in connection with the acquisition of properties to be acquired for intersection improvements on C.R. 67, Motor Parkway at Adams Avenue, Town of Smithtown, Suffolk County, New York. ASSIGNED TO WAYS & MEANS (Co. Exec.)** This is for the purpose of public hearings on the condemnation. Motion by Legislator Binder to approve and place on the consent calendar second by myself. All those in favor? Opposed? Approved and place on the consent calendar. **(Vote: 3-0-0-1 Absent: Towle)**

**2187. Authorizing public hearings pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York in connection with the acquisition of properties to be acquired for improvements on C.R. 80, Montauk Highway, between NYS Route 112 and CR 101, Sills Road, Town of Brookhaven, Suffolk County, New York (C.P. 5534). ASSIGNED TO WAYS & MEANS (Co. Exec.)** Legislator Towle has asked that this be tabled. I'll make a motion to table on that basis.

**Legislator Binder:**  
Second.

**CHAIRMAN GULDI:**  
Second by Legislator Binder. Discussion? All those in favor? Opposed? 2187 is tabled. **(Vote: 3-0-0-1 Absent: Towle)**

**2207. Appropriating funds in connection with the acquisition of land for intersection improvements on C.R. 51, Riverhead – Moriches Road at C. R. 63, Old East Moriches-Riverhead Road, (Lake Avenue), Town of Southampton (CP 3301.227). ASSIGNED TO WAYS & MEANS AND FINANCE & FINANCIAL SERVICES (Co. Exec.)** Motion to approve and place on the consent calendar by myself, no, wait a minute, probating funds?

**MR. SABATINO:**

(inaudible)

**CHAIRMAN GULDI:**

Motion to approve by myself second by Legislator Fields. All those in favor? Opposed? It's not on the consent calendar. 2207 is not on for the consent calendar. **(Vote: 3-0-0-1 Absent: Towle)**

**2208. Appropriating Start-Up Funds in connection with the reconstruction of C.R.**

**11, Pulaski Road from Larkfield Road to NY 25A, Town of Huntington and Smithtown (CP 5095). ASSIGNED TO WAYS & MEANS AND FINANCE & FINANCIAL SERVICES (Co. Exec.)** Legislator Binder motions to approve.

**LEGISLATOR FIELDS:**

(inaudible)

**CHAIRMAN GULDI:**

Probably not there's no such thing, but you may ask a question.

**LEGISLATOR FIELDS:**

What are start up funds?

**MS. COSTIGAN:**

We need to schedule a public hearing and that's what this money will permit us to do and to get the map process started and the appraisals and everything. It will come back to you for an appropriation.

**LEGISLATOR FIELDS:**

How come it's not called planning steps?

**MS. COSTIGAN:**

This is a condemnation.

**LEGISLATOR FIELDS:**

Okay.

**CHAIRMAN GULDI:**

Okay. Motion to approve and consent? Approve and place on the consent calendar --

**MR. SABATINO:**

It's a bond resolution again and your appropriating -- you're paying for it.

**CHAIRMAN GULDI:**

Start up funds or bonding?

**MR. SABATINO:**

Yeah. You're actually paying -- just let me double-check and be sure. Yes. Absolutely, this is capital budget monies.

**CHAIRMAN GULDI:**

Motion to approve by Legislator Binder second by myself. Discussion? All those in favor? Opposed? Approved. **(Vote: 3-0-0-1 Absent: Towle)**

**2209. Appropriating funds in connection with the acquisition of land for the construction of shoulders on C.R. 67, Motor Parkway, Town of Islip (CP 5533.210) ASSIGNED TO WAYS & MEANS AND FINANCE & FINANCIAL SERVICES (Co. Exec.)** Legislator Fields again is that to approve?

**MR. SABATINO:**

The money coming out and being paid by serial bonds. So you have the same issue.

**CHAIRMAN GULDI:**

Motion to approve by Legislator Fields second by myself. Discussion? All those in favor? Opposed? Approved. **(Vote: 3-0-0-1 Absent: Towle)**

**2210. Appropriating Start-Up Funds in connection with the reconstruction of C.R. 80, Montauk Highway, Shirley/Mastic, Town of Brookhaven (CP 5516). ASSIGNED TO WAYS & MEANS AND FINANCE & FINANCIAL SERVICES (Co. Exec.)** Motion to table at the request of Legislator Towle second by Legislator Binder. Discussion? All those in favor? Opposed? Tabled.

**LEGISLATOR FIELDS:**

(inaudible)

**CHAIRMAN GULDI:**

You certainly can. 2210 is tabled.

**LEGISLATOR FIELDS:**

On the back up there is a letter from Christine Costigan and it says to preserve this funding it is imperative that the resolution is adopted this year.

**CHAIRMAN GULDI:**

We still got two more shots this year.

**MS. COSTIGAN:**

This is an 80% federally funded project. I don't have -- on the next 2238 I know that's the case.

**LEGISLATOR FIELDS:**

On 2210 there's a letter October 21<sup>st</sup> to Peter Scully (inaudible) and signed



by Christine D. Costigan.

**CHAIRMAN GULDI:**

Christine Costigan.

**MS. COSTIGAN:**

Some moron. On federally funded projects we do need to improve them this year in order to have the federal funds. So I see this is a federally funded one as well and that's the case.

**LEGISLATOR FIELDS:**

Why are we tabling this?

**CHAIRMAN GULDI:**

It's in Legislator Towle's district and it's at his request. His staff conveyed it to my staff. We do have two more shots before the end of the year. I don't know what his concerns are, but he will be back late this afternoon so if you can address his concerns we can always discharge it at the meeting if those concerns can be met between now and Tuesday. All those in favor? Opposed? 2210 is tabled. **(Vote: 3-0-0-1 Absent: Towle)**

**2238. Amending the 2002 Capital Program and Budget and appropriating start-up funds in connection with the acquisition of properties for the County share for the reconstruction of C.R. 16, Portion/Horseblock Road, from the vicinity of Ronkonkoma Avenue to the vicinity of C.R. 97, Nicolls Road, Town of Brookhaven (CP 5511 Phase I). (Co. Exec.) ASSIGNED TO WAYS & MEANS AND PUBLIC WORKS & TRANSPORTATION AND FINANCE & FINANCIAL SERVICES.** Do we hear a motion? I almost heard a motion by Legislator Binder.

**LEGISLATOR BINDER:**

Motion.

**CHAIRMAN GULDI:**

Such vigorousness. Second by myself over there -- Legislator Fields. All those in favor? Opposed? Approved. . **(Vote: 3-0-0-1 Absent: Towle)**

**2239. Authorizing public hearings pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York in connection with the acquisition of properties to be acquired for the reconstruction of C.R. 16, Portion Road, from the vicinity of Ronkonkoma Avenue to the vicinity of C.R. 97, Nicolls Road, Town of Brookhaven, Suffolk County, New York. (CP 5511 Phase I). (Co. Exec.) ASSIGNED TO WAYS & MEANS AND PUBLIC WORKS & TRANSPORTATION AND FINANCE AND FINANCIAL SERVICES.** This is a public hearing it doesn't appropriate funds. Motion to approve and place on the consent calendar by myself.

**LEGISLATOR BINDER:**

Second.

**CHAIRMAN GULDI:**

Second by Legislator Binder. Discussion? All those in favor? Opposed? Approved and placed on the consent calendar. **(Vote: 3-0-0-1 Absent: Towle)** Memorializing resolution.

**Sense 73. Memorializing resolution requesting that Cornell University ILR Extension Program continue to maintain a Long Island site. ASSIGNED TO WAYS & MEANS. (Lindsay)** What is an ILR?

**MR. SABATINO:**

It's the school of Industrial and Labor Relations which currently has a program located in Melville. It provides training in labor relations and human resources, mediation and arbitration and workplace communication. There's currently a proposal to abandon Melville and consolidate in New York City. This requests that they stay on Long Island by staying in Melville.

**CHAIRMAN GULDI:**

Is there a motion?

**LEGISLATOR BINDER:**

Motion.

**CHAIRMAN GULDI:**

Motion by Legislator Binder second by --

**LEGISLATOR BINDER:**

(inaudible)

**CHAIRMAN GULDI:**

Did they blow one up or pump one up? You have to be careful with your choice of words here.

**LEGISLATOR BINDER:**

(inaudible)

**CHAIRMAN GULDI:**

How did you get a (inaudible) what did you do to deserve that?

**LEGISLATOR BINDER:**

The Living Wage bill, which I was right on. 18-1.

**CHAIRMAN GULDI:**

You weren't getting cozy with the {rant} now were you

**LEGISLATOR BINDER:**

No, at 17-1 he didn't want to be cozy with me either.

**CHAIRMAN GULDI:**

We haven't taken a vote on that issue yet. On Sense 73 --

**LEGISLATOR BINDER:**

Oh, no, we can't we have an executive session.

**CHAIRMAN GULDI:**

We have an executive session and I have to take issue with something Ms. Costigan said, but first on Sense 73. All those in favor? Opposed?

Abstentions? **(Vote: 3-0-0-1 Absent: Towle)** Ms. Costigan, I do have to take issue with your characterization of the author of the letter next to 2210, I disagree vehemently. I don't think you're in a position to have an objective judgement on that subject. Okay. The vultures are here for settlement discussions?

**LEGISLATOR BINDER:**

Are we allowed to stay?

**CHAIRMAN GULDI:**

What do you got? You have two cases, all right. A motion to adjourn to executive session to consider settlements with the Department of Law, approving the presence of Department of Law -- we will go into executive session to consider settlement discussions at the end of the executive session. We will adjourn and my aide will give the stenographer the time of our adjournment. Approving the presence of Counsel to the Legislature, Budget Review, Insurance and Risk Management and the Law Department.

**EXECUTIVE SESSION BEGAN AT 2:45 P.M. AND ENDED AT 3:08 P.M.**

**(Having no further business the Ways & Means Committee was adjourned at 3:08 P.M.)**

**{ } denotes spelled phonetically.**